

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RALPH M. STAPLES,	)	
	)	
Petitioner	)	Civil Action
	)	No. 06-CV-05659
vs.	)	
	)	
	)	
PENNSYLVANIA BOARD OF PROBATION	)	
AND PAROLE,	)	
DISTRICT ATTORNEY OF THE COUNTY	)	
OF DELAWARE, and	)	
ATTORNEY GENERAL OF THE STATE	)	
OF PENNSYLVANIA,	)	
	)	
Respondents	)	

O R D E R

NOW, this 17th day of April, 2008, upon consideration of the Petition for Writ of Habeas Corpus filed December 28, 2006 by petitioner pro se; upon consideration of the Answer to Petition for Writ of Habeas Corpus filed May 30, 2007 by respondents; upon consideration of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa filed July 31, 2007; it appearing that as of the date of this Order, petitioner has not filed any objections to the Report and Recommendation of Magistrate Judge Caracappa; it further appearing after review of this matter that Magistrate Judge Caracappa's Report and Recommendation correctly determined the legal and factual issues presented in the petition for habeas corpus relief,

IT IS ORDERED that Magistrate Judge Caracappa's Report and Recommendation is approved and adopted.

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is denied.

IT IS FURTHER ORDERED that because petitioner has not met statutory requirements to have his case heard, and no reasonable jurist could find this procedural ruling debatable, and because petitioner fails to demonstrate denial of a constitutional right, a certificate of appealability is denied.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter closed for statistical purposes.

BY THE COURT:

/s/ James Knoll Gardner  
James Knoll Gardner  
United States District Judge